IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

Bail Appl..No. 5417 of 2007()

[CRIME NO.39/2007 OF THIRUVANANTHAPURAM EXCISE RANGE]

PETITTIONER/IST ACCUSED

DIVAKARAN, S/O. SUKUMARAN NADAR,
CHARUVILA PUTHEN VEEDU,
KALLIYOOR VILLAGE,
THIRUVANANTHAPURAM TALUK.

BY ADV. SRI.S.D.ASOKAN

RESPONDENTS:

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1. STATE OF KERALA,REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
THIRUVANANTHAPURAM EXCISE RANGE,
THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5417 of 2007

Dated this the 10th day of September 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of IMFL on 15/8/2007. He was arrested and continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner who has remained in custody from 15/8/2007 can now be released on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007